

A. G. Contract No. KR98 2031TRN
ADOT ECS File: JPA 98-152
Project: Air Traffic Control Tower Cab
Section: Laughlin/Bullhead City
International Airport
Fund: A921/5700/E9059

INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
THE MOHAVE COUNTY AIRPORT AUTHORITY

COPY

THIS AGREEMENT is entered into September 28, 1998,
pursuant to Arizona Revised Statutes Section 11-952 through 11-954 as
amended, between the STATE OF, acting by and through its DEPARTMENT OF
TRANSPORTATION (the "State") and the MOHAVE COUNTY AIRPORT AUTHORITY,
acting by and through its BOARD OF DIRECTORS (the "Authority").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-401 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The Authority is empowered by Arizona Revised Statutes Section to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the Authority.

3. The Arizona legislature has made funds available for use of the Authority for the transportation, consultation costs, purchases and restoration of an air traffic control tower cab at the Bullhead City/Laughlin International Airport. The State and the Authority desire to define their respective responsibilities relating to the transfer of \$250,000.00 thru the State to the Authority and the expenditure thereof.

THEREFORE, in consideration of the mutual agreements expressed herein,
it is agreed as follows:

NO. 22703
Filed with the Secretary of State
Date Filed: 09/29/98

Debra Bayless
Secretary of State

By Dick V. Greenwol

II. SCOPE

1. The State will:

Within thirty (30) days after receipt and approval of an invoice, provide the Authority state funds in the amount of \$250,000.00 for the transport and consultation costs and the purchase and restoration of an air traffic control tower cab to be placed at the Laughlin/Bullhead City International airport, all in accordance with HB 2237, a copy of which is attached hereto as Exhibit A and made a part hereof.

2. The Authority will:

a. Apply funding to project work activities in strict accordance with applicable Federal and State laws, rules and regulations.

b. Be responsible for any costs associated with the project over and above the States contribution of \$250,000.00.

c. Upon filing of this agreement with the Secretary of State, invoice the State in the amount of \$250,000.00.

III. MISCELLANEOUS PROVISIONS

1. The only interest of the Arizona Department of Transportation in this agreement is to convey state pass through funds for the use and benefit of the Authority by reason of State law under which funds for the activities are authorized to be expended.

2. This agreement shall remain in force and effect until completion of said activities and payment.

3. This agreement shall become effective upon filing with the Secretary of State.

4. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

5. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

6. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth in Arizona Revised Statutes Section 12-1518.

7. All notices or demands upon any party relating to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation
Director, Aeronautics Division
205 South 17 Avenue, Mail Drop 426M
Phoenix, AZ 85007

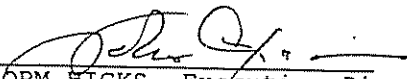
Mohave County Airport Authority
Executive Director
600 Highway 95
Bullhead City, AZ 86429

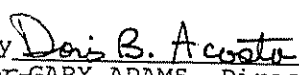
8. Attached hereto and incorporated herein is the written determination of legal counsel that the parties are authorized under the laws of this State to enter into this agreement and that the agreement is in proper form.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

MOHAVE COUNTY AIRPORT AUTHORITY

STATE OF ARIZONA
Department of Transportation

By 
NORM HICKS, Executive Director

By , Aviation Program Administrator
for GARY ADAMS, Director
Aeronautics Division

ATTEST

By 
Secretary

RESOLUTION

BE IT RESOLVED on this 20th day of August 1998, that I, the undersigned MARY E. PETERS, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Aeronautics Division, to enter into an agreement with the Mohave County Airport Authority for the purpose of defining responsibilities for transferring a monetary grant from the legislature to the Authority.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the Director, Aeronautics Division for approval and execution.


A handwritten signature in black ink, appearing to read 'D. Allocco', is written over a horizontal line.

DAVID ALLOCCO, Manager
Engineering Technical Group
for Mary E. Peters, Director

APPROVAL OF THE MOHAVE COUNTY AIRPORT AUTHORITY

I have reviewed the above referenced proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, AERONAUTICS DIVISION, and MOHAVE COUNTY AIRPORT AUTHORITY and declare this agreement to be in proper form and within the powers and authority granted to the Authority under the laws of the State of Arizona.

DATED this 22nd day of September 1998.



Richard L. Scholz, Authority Attorney

Post-It® brand fax transmittal memo 7671		# of pages	1
To	GARY ADAMS		
From	RON BOEHMER		
Co.			
Dept.	AERO		
Phone #	255-8655		
Fax #	254 6361		
Fax #	255-6672		

Bill H

See Me

Senate Engrossed House Bill 82

State of Arizona
House of Representatives
Forty-third Legislature
Second Regular Session
1998

FILED

Betsy Bayless
Secretary of State

CHAPTER 156

HOUSE BILL 2237

AN ACT

MAKING AN APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION FOR AN AIR TRAFFIC CONTROL TOWER.

Be it enacted by the Legislature of the State of Arizona:

Section 1. Appropriation; purpose

The sum of \$250,000 is appropriated from the state general fund in fiscal year 1998-1999 to the Mohave county airport authority for the transportation, consultation costs, purchase and restoration of an air traffic control tower cab to be placed at the Laughlin/Bullhead International airport.

APPROVED BY THE GOVERNOR MAY 26, 1998.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 27, 1998.

AFIS ORG
A 921

MOHAVE COUNTY AIRPORT AUTHORITY, INC.

RESOLUTION 9801

A RESOLUTION BY THE MOHAVE COUNTY AIRPORT AUTHORITY, INC. ALLOWING THE EXECUTIVE DIRECTOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT ON BEHALF OF MCAA, INC. WITH THE STATE OF ARIZONA FOR THE FUNDS OUTLINED IN THE STATE OF ARIZONA HB 2237.

WHEREAS, in May, 1998, the Forty Third Arizona State Legislature enacted House Bill HB 2237 to make \$250,000.00 available to Mohave County Airport Authority, Inc. for the transportation, consultation costs and restoration of an air traffic control tower cab to be placed at the Laughlin/Bullhead International Airport; and

WHEREAS, Governor Jane D. Hull signed HB 2237 into law on May 26, 1998 and provided it to the Office of the Secretary of State on May 27, 1998; and

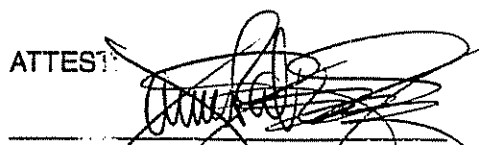
WHEREAS, the Arizona Department of Transportation, Aeronautics Division, acting on behalf of the State of Arizona, has offered to enter into an Intergovernmental Agreement with the Mohave County Airport Authority, Inc. for the release of the \$250,000.00 for the purposes outlined within the Bill.


NOW, THEREFORE, BE IT RESOLVED on this day, that I, the undersigned Norm Hicks, as Executive Director/C.O.O. of Mohave County Airport Authority, Inc., have determined that it is in the best interests of the Mohave County Airport Authority, Inc. to enter into an agreement with the State of Arizona for the receipt of the funds approved in HB 2237.

PASSED, ADOPTED and APPROVED by the Board of Directors of the Mohave County Airport Authority, Inc., this 22nd day of September, 1998.


Norm Hicks, Executive Director/C.O.O.


William Bigelow, Board President

ATTEST: 
Joann Allen, Board Secretary

APPROVED AS TO FORM:

Richard Scholz, MCAA, Inc. Attorney



STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

1275 WEST WASHINGTON, PHOENIX 85007-2997

GRANT WOODS
ATTORNEY GENERAL

TRN Main: (602) 542-1680

Direct: (602) 542-8837

Fax: (602) 542-3646

MAIN PHONE : 542-5025

TELECOPIER : 542-4085

INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A.G. Contract No. KR98-2031TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATE: September 29, 1998.

GRANT WOODS
Attorney General

A handwritten signature in black ink, appearing to read "James R. Redpath", is written over a horizontal line.

JAMES R. REDPATH
Assistant Attorney General
Transportation Section

JRR:adf
Enc.